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RESETTLEMENT ADMINISTRATION  
Land Utilization Division  
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING  
LAND USE

No. 4

Week Ending  
January 28, 1937.

I. FEDERAL LEGISLATION

BANKING AND CURRENCY

S. 1053. Mr. Smith.

To provide for loans to farmers for crop production and harvesting during 1937.

To Committee on Agriculture and Forestry January 22.

FEDERAL AID

H. R. 3160. Mr. Ryan.

To provide aid for States for the operation and maintenance of adequate public school facilities - elementary and high school - in accordance with aggregate attendance of 160 days at such schools.

To Committee on Education January 18.

FORESTRY

S. 903. Mr. McNary.

To amend the Clark-McNary Act of 1924 (43 Stat. 653) to authorize the Secretary of Agriculture to cooperate with states or their agencies to determine and recommend not only systems of preventing and suppressing forest fires but also forest insects, preventing and controlling floods, irregular water flow and erosion, with a view to preserve soil, water, forest and other resources. The Secretary now cooperates to procure production and distribution of seeds and plants for the purpose of establishing wind breaks, shelter belts and woodlots, and the amendment seeks to include in this list forests and areas of other wild vegetation of value upon denuded or non-forested lands. Under this provision there is to be appropriated \$100,000.00 to assist owners of farm land in reforesting their holdings.

To Committee on Agriculture and Forestry January 19.

HOUSING

H. R. 3487. Mr. Hancock (North Carolina)

To provide financial assistance to States and political subdivisions for the elimination of unsafe and insanitary housing conditions for families of low income.

To Committee on Banking and Currency January 22.



## HYDRO-ELECTRIC DEVELOPMENT

H. R. 3488. Mr. Rankin

To create a Potomac Valley Authority similar to T. V. A. to develop and administer public works in the watershed of the Potomac River. The Authority is to be governed by three administrators appointed by the President.

To Committee on Rivers and Harbors January 22.

## PUBLIC LANDS

H. R. 3294. Mr. Hill (Washington)

To authorize the appropriation of \$6,750,000 to the State of Washington for satisfying the deficiency in grants of 16 and 36 section or indemnity lands in lieu, for the support of schools.

To Committee on Public Lands January 19.

## RIVERS AND HARBORS

H. R. 3419. Mr. Pfeifer

To prevent pollution of navigable waters of the United States by creating an "Antipollution Board" consisting of the Secretary of War and three presidential appointees. This board is to cooperate with state agencies coordinating such state activities, encourage enactment of uniform state laws, encouraging compacts for prevention and abatement of water pollution, make studies and surveys necessary to determine the need for and devise methods for carrying out preventive and corrective measures, to make or arrange loans for the construction of sewage-disposal plants or works for treatment of trade wastes. The consent of Congress is given for states to enter compacts to deal with the problem of water pollution.

To Committee on Rivers and Harbors January 21.

## TAXATION

S. 1076. Mr. Lurdon.

To authorize the payment by the Secretary of the Interior to political subdivisions or taxing unit of any state in which lands have been or are hereafter acquired by the United States an amount in the same proportion to the indebtedness of such taxing district outstanding at the time of such acquisition as the value of all lands in such taxing district at the time of acquisition. Payments on account of such indebtedness shall not be paid until due. The Secretary of the Interior shall determine the amounts payable under the Act, and fix the value of the lands on account of which payments are made. Payments may be made only to taxing districts which maintain books, records, and accounts and produce such documents for the examination of the Secretary of the Interior.

To Committee on Public Lands January 22.



II. STATE LEGISLATION (Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which bill is introduced.)

AGRICULTURE

Iowa. H. B. 1. Messrs. Alesch and Elliott.

To provide for the creation of Emergency Feed Loan Funds in each county. The County Boards of Supervisors are authorized to create such funds and issue anticipation warrants against the fund for such loans to be granted when the applicant is unable to secure loans from private or government agencies.

Introduced January 20.

DRAINAGE

Idaho. H. B. 10. Messrs. Thornton and Hendricks.

To create a State Water Conservation Board of six appointees of the Governor for the development and utilization of water for irrigation. The Board is to make surveys for the conservation and storage of water for irrigation, domestic consumption, livestock, flood control, formulate plans for construction of necessary dams and etc. The agency is to cooperate with the Federal Government, other agencies of Idaho, or organizations of water users, and may enter cooperative agreements. This bill gives power to survey and plan - not to actually construct - and to submit reports to the Legislature and Governor.

Introduced January 13.

Oklahoma. S. B. 32. Mr. Wright.

To establish a flood control project - Great Salt Lake of Oklahoma - under the provisions of the Federal Flood Control Act (Public 738, 1936) as a fish and game reserve.

Introduced January 6.

Texas. S. B. 38. Mr. Davis.

To declare all underground waters in the state as public waters, and upon payment of certain fees, may be appropriated under the same laws governing surface waters. The State Board of Water Engineers may formulate and administer different supplemental administrative orders relative to the appropriation of underground water as may be necessary to conserve the source of supply.

To Committee on Mining, Irrigation and Drainage January 14.

GOVERNMENT ORGANIZATION

Minnesota. S. B. 135.

To create a Department of Conservation under the control of a Commissioner of Conservation appointed by the Governor. The powers and duties of the existing Conservation Commission are to be transferred to the Commissioner. The Department is to contain a Division of Forestry, Division of Drainage and Waters, Division of Game and Fish, Division of Lands and Minerals, and a Division of State Parks. Land sales shall be made after appraisal by the Division of Lands and Minerals and approval of the





Commissioner. All state lands are to be classified by the Commissioner to determine their administration either for forestry or agriculture.

Introduced January 18.

S. B. 133.

To abolish the Conservation Commission and transfer its powers and duties to the Commissioner of Conservation.

Introduced January 18.

Oklahoma. H. B. 103. Mr. Jones.

To create the Oklahoma Natural Resources Commission which shall consist of a Commissioner appointed by the Governor and such other employees as necessary to carry on the purposes of the act. All authority now vested in the Oklahoma State Planning Board, Geological Commission, Forest Commission, and Conservation Commission, is hereby transferred to the Natural Resources Commission, and the other commissions mentioned are abolished.

Introduced January 14.

Pennsylvania. H. B. 179. Mr. Perry.

To create a legislative council consisting of ten Senators and sixteen Representatives, with the duty of preparing for submission to each session of the Legislature, tentative drafts of legislation which it believes should be considered, and, where feasible, submit preliminary reports and drafts of Bills to the Legislature before it convenes. The council shall collect information concerning the general welfare; examine existing statutes; recommend amendments; prepare a legislative program; and generally cooperate with the administration in devising methods of enforcing laws and improving the effectiveness of administrative methods. The Governor is to transmit to the council such matters for study and messages as he deems pertinent. Each department or agency of the State Government and political subdivisions, including the Legislative Reference Bureau, shall make such studies and furnish such information to the council as it may require. The Director of the Legislative Reference Bureau shall be secretary of the council. The council shall have power to employ experts and assistants necessary to carry on the work.

To Committee on State Government January 18.

Washington. H. B. 31. Mr. Simmons.

To establish a Board of State Tax Commissioners by electing the members thereto. The bill proposes to abolish the present Tax Commission and the Department of Public Service. The State Auditor is to be given the powers now performed by the Department of Finance, Budget, and Business, which department is to be abolished. The State Land Commissioner is to exercise powers and duties now vested in the Department of Conservation and Development and the State Planning Council, which bodies are to be abolished. A Department of Game is to be substituted for the Department of Fisheries. (Other changes are enumerated, but none of interest).

To Committee on Revenue and Taxation January 13.

#### GRAZING

Wyoming. S. B. 4. Messrs. Dinsmore and Johnson.

To provide for the cooperation of the State Government and stockmen's associations with the Federal Government under the Taylor Grazing Act, providing that all funds received by the state, as its share of the amount



collected under the Taylor Grazing Act, shall be distributed to the several counties, pro-rated on the area of public lands located in each county. The money received by the county under such distribution shall be credited to the General School Fund of the County. All moneys received from grazing fees of a grazing district, including public lands, shall be placed to the credit of the Special Fund to be expended as the Board of District Advisors of such grazing district may direct within the county for range improvements and maintenance.  
To Committee No. 14 January 18.

#### LAND USE

Kansas. H. B. 18. Mr. Hansen. (Same as H. B. 19. Bulletin No. 3 Page 3).  
To authorize Kansas State Board of Agriculture to adopt uniform regulations necessary to prevent soil drifting. The Board may define districts and order lands therein which are not covered with vegetation to be cultivated, plowed, ditched, furrowed, sowed, or handled in any manner which, in the judgment of the Board, is deemed necessary. A ten-day notice must be served personally on the land owner stating the method adopted by the Board. In case owners fail to comply with any orders, the Board of County Commissioners shall employ assistance to carry out such reasonable orders and pay for such work and assess the costs against the property. The County Commissioners may use County machinery and charge the reasonable use therefor. A "soil drifting fund" may be set up in each county from which to pay for soil drifting services. The County Commissioners are required to enforce the orders of the Board and levy a tax against all property in the county to carry out the provisions of the act.

Introduced January 14.

Kansas. H. B. 24. Mr. Waggoner.

To create three land and water conservancy districts whose territory roughly covers the state. The boundaries of each district are specifically defined. Each district created by this act is to be a body politic and corporate, and is vested with jurisdiction for the purposes of this act over the waters of the State of Kansas, subject to the superior jurisdiction of the United States over navigable waters. Each district is to conserve the natural resources of land and water by the prevention of floods, providing for irrigation, preventing soil erosion, or the storing and impounding of water in the streams for the prevention of floods, promoting navigation, irrigation, power, recreation, and the conservation of wild-life. In carrying out the duties the districts are authorized to purchase, or acquire by eminent domain, such rights and interests in property as is necessary, and to exercise control over natural water courses and to make such construction projects as may be necessary. Taxes on taxable property in the district may be collected to defray the expenses of carrying out the provisions of the act. Agreements may be entered into with the United States, or any state or agency, to build and construct any necessary improvements.

Introduced January 13.

Massachusetts. S. B. 126. Mr. Jordan.

To designate the Massachusetts State College as the agency of the Commonwealth to prepare plans for soil conservation and to cooperate with the



Federal Government under the Soil Conservation and Domestic

Allotment Act.

To Committee on Agriculture January 15.

Oklahoma. H. B. 62. Mr. Gillespie.

To amend the Act granting power to the Land Commissioners to prescribe rules for leasing lands. Non-preference right lease lands may be leased by the Commissioners of the Land Office for a period not to exceed five years, nor to exceed one hundred and sixty acres per lessee. The lessee of such lands must actually reside on and personally direct the farming on the premises leased; provided, However, that this section shall not apply to leases of lands for grazing purposes; provided further, however, that if such lands, after the original lease is made, shall be used for agricultural purposes, then the provisions of this act shall apply. In the event it becomes necessary to repair existing improvements or construct additional or new improvements on non-preference right lease lands in order to obtain more desirable tenants, the Commissioners of the Land Office may, in their discretion, grant a preference right lease on such lands in favor of the lessee who makes such repairs or improvements; provided, however, that such preference right lease shall be subject to the same conditions as set forth hereinbefore; and provided further, that in all cases, if the non-preference right lease lands are improved such lessee shall be required to make payment in cash to the Commissioners of the Land Office for the appraised value of such improvements before a preference right lease can be issued.

Introduced January 6.

Texas. H. B. 153. Mr. Mauritz.

To donate to each county, for the next five years, all state ad valorem taxes, collected for general revenue purposes from property within such county, for use in such county for constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects, reforestation and roads.

To Committee on State Affairs January 18.

## PLANNING

Idaho. H. B. 16. Mr. Harrington.

To amend the zoning enabling act for municipalities to include villages. The original act is essentially the same as the "Standard Act" for urban zoning.

Introduced January 13.

Massachusetts. H. B. 864. Messrs. Bruce and Milano.

To require notice of hearings in the case of ordinances or amending ordinances establishing boundaries of districts or regulations to be enforced therein shall be sent by the clerk of the Planning Board to the Planning Board or agency performing such functions of each adjacent city or town affected by such ordinances.

Introduced January 19.

Michigan. H. B. 55. Mr. Stout.

To create a State Planning Commission to be composed of Highway Commissioner, Director of Conservation and five members appointed by the Governor. The commission is to collect data on public works projects, cooperate with Federal agencies, and coordinate surveys and investigations of natural resources. Wherever serious misuses of natural resources are taking place the commission is to report such misuses to the Governor with recommendations.

Introduced January 15.





## PUBLIC LANDS AND FORESTS

Maine. S. B. 62. Mr. Deering.

To grant consent of the State to acquisition by the United States of lands for the establishment of an experimental forest not to exceed 6000 acres.

To Judiciary Committee January 19.

Minnesota. H. B. 68. Committee on Public Domain.

Proposing an amendment to the Constitution to provide that any of the public lands of the state, including lands in trust for any purpose, may, with the approval of a commission consisting of the Governor, the Attorney General and the State Auditor, be exchanged for lands of the United States and other privately owned lands, as the Legislature may provide, and the lands so acquired shall be subject to the trust, if any, to which the lands exchanged therefor were subject, and the state shall reserve all mineral and water power rights in lands so transferred to the state.

To Committee on Public Domain January 12.

Oklahoma. S. B. 89. Mr. Stewart.

To authorize the Oklahoma Forest Commission to accept gifts of lands suitable for forestry or park purposes and enter into agreements with the Federal Government or other agency for acquiring by lease, purchase or otherwise, such lands as are desirable for State forests. (This is probably to comply with the Fulmer Act (Public 395) of 74th Congress.- Ed.note.)

Introduced January 20.

Vermont. H. B. 25. Mr. Carlson.

To authorize the State Forester to purchase lands for the State including tax delinquent lands, and enter agreements with the Federal Government for acquiring by lease or purchase, such lands as the State Forester deems desirable to be administered as State forests. Revenues derived from such lands are to be used to acquire, manage, and develop such lands and meet any obligation to the Federal Government. (This is probably to comply with the Fulmer Act (Public 395) of 74th Congress.-Ed.note.)

To Committee on Conservation and Development January 19.

Washington. H. B. 6. Messrs. Kemp and Aalvik.

To authorize counties to convey to the United States rights or easements or title to property, whether held in trust or proprietary capacity by reason of a tax foreclosure, for any purpose whatsoever. The Legislature gives consent to such conveyance and the ceding of exclusive legislative jurisdiction to the United States over the land so conveyed.

Committee on Counties and County Boundaries January 13.

## REAL PROPERTY

New Hampshire. H. B. 37. Mr. Hart.

To require all real estate brokers and salesmen to be licensed. A State Real Estate Board is established to grant licenses upon application therefor, which applications are to set forth such information as the Board may require. If the Commission is satisfied that the applicant is suitable and qualified and intends to actively engage in such business, a license shall





be issued. Any person aggrieved by the conduct of a licensee may complain to the Board, which, after hearing, may revoke or suspend the license if the charges so warrant.  
To Judiciary Committee January 14.

#### TAXATION

Arizona. H. B. 11. Mr. Burk.

All ad valorem taxes levied against real or personal property, delinquent on November 2, 1936, shall be exempt from all penalties and interest if paid on or before November 8, 1937.  
Introduced January 14.

Arkansas. H. B. 60. Mr. Thompson.

To provide for the clearing of titles to tax-deed lands belonging to the counties to provide for valid resale of such lands by such counties.

To County and County Lines Commission January 14.

California. H. B. 248. Mr. Patterson.

To levy a tax of one percent on gross market value of all natural resources severed from the earth or water, including forest products, minerals, oil and gas.

To Committee on Revenue and Taxation January 11.

Georgia. H. Res. 13-67A. Mr. McGraw.

H. B. 26. Mr. Lanier.

To amend the Constitution to exempt from all ad valorem taxation, each homestead actually occupied by each head of a family to the value of \$5,000. Each such homestead must be registered to secure such benefits.

Introduced January 13.

H. B. 34. Mr. Morris.

To amend the Constitution to give the Legislature power to re-classify property for taxation purposes.

Introduced January 13.

Idaho. H. B. 23. Mr. Day.

To provide for the waiver and cancellation of all penalties and interest charged or accrued on delinquent taxes levied during 1934, 1935, 1936, including interest at 6% together with a 2% penalty added at the time of delinquency.

Introduced January 14.

Massachusetts. H. B. 468. Mr. Wenzler.

To exempt property to the amount of \$3000 used for dwelling purposes by the owner if said owner is in needy circumstances.

Introduced January 15.

Minnesota. H. B. 125.

To provide for the appointment of receivers to collect delinquent taxes. Appointment may be made by the District Court, on motion of the County Treasurer, at any time after the delinquent list has been published. The receivership continues until the delinquent taxes, penalties, interest and costs have been paid, the receiver being equipped with all ordinary powers of receivers, including the right to possession. Usually the County Treasurer acts as receiver, but where the delinquency amounts to \$3,000 the court may appoint any person as receiver on application of 25 freeholders of the County in cases where the County Attorney has neglected, after 30 days notice, to make the application himself.  
Introduced January 13.



Montana. H. B. 1. Mr. Masterson.

To amend the Constitution to authorize the Legislature to exempt homes actually used and occupied by the owner thereof not exceeding \$2500.

Introduced January 5.

New York. H. B. 181. Mr. Allen.

To provide for the taxation for school purposes, by school districts, of lands owned by the State in certain counties. Assessments are to be made at the same valuation as private lands in the district, and the Department of Taxation and Finance is authorized to pay such taxes.

To Committee on Public Education January 15.

North Dakota. H. B. 23. Mr. Krank.

To cancel all interest and penalty levied against delinquent real estate taxes to facilitate redemption of forfeited lands for taxes of 1935, and all prior years, if such taxes are paid during 1937 and 1938.

To Committee on Taxes January 5.

Oklahoma. H. B. 92. Mr. Kight.

To exempt all homesteads as defined in the State Constitution from all forms of ad valorem taxation, provided that all assessments and contract obligations incurred prior to the effective date of this act shall in no way be affected by this Act.

Introduced January 13.

Oklahoma. H. B. 133. Mr. Hammond.

H. B. 150. Mr. Hunt.

To cancel all delinquent ad valorem taxes on real and personal property, including all interest, penalties and costs which have accrued thereon for all years prior to 1933 and 1937, but not including the taxes for 1936 and 1937.

Introduced January 18.

Pennsylvania. H. B. 209. Mr. Moran.

After the first day of January, 1938, no school tax shall be levied by any school district on any real estate except such as may be necessary for the payment of interest and sinking fund charges on the funded debt of any school district.

To Committee on Education January 18.

Texas. H. J. Res. 7. Mr. Farmer

H. J. Res. 9. Mr. Brown

Proposing an amendment to the Constitution exempting \$3,000 of assessed taxable value of all resident homesteads from all taxation for all purposes.

Introduced January 14.

Washington. H. B. 42. Mr. Pottus.

To exempt all improvements upon land consisting of a dwelling house, occupied by owner, to extent of \$1500 assessed valuation.

To Committee on Revenue and Taxation.

Washington. H. B. 49. Mr. Ginnott.

Any home which is sued and occupied as a legal residence by its lawful owner, and any other buildings adjacent to such residence or used in conjunction therewith, together with any real property not exceeding forty (40) acres in extent, upon which said buildings are situated, the total assessed valuation of which does not exceed \$3,000, shall be exempted from taxation.

To Committee on Revenue and Taxation January 15.



Washington. H. B. 1. Mr. Cohen.

To exempt homes and improvements thereon to the extent of \$1500 from taxation.

To Committee on Revenue and Taxation January 12.

Washington. S. B. 5. Mr. Herren.

To exempt from taxation actual homes to the extent of \$1000 effective 1939.

To Committee on Revenue and Taxation January 13.

Washington. S. B. 10. Mr. Lovejoy.

All lands in the State of Washington which have been or may be acquired by counties or cities for non-payment of taxes or assessments, are classified as "County Homestead Lands", and shall be disposed of free of cost, and may be settled upon by heads of families who are citizens of the United States under contract lease. Such lands are placed under the supervision of the State Commissioner of Public Lands, who may lease such lands for a period not longer than 10 years nor less than 5, and not more than one tract may be leased to any one homesteader, and such tracts shall not exceed 80 acres outside of the incorporated area. The Commissioner is authorized to prepare rules for the administration of the act and the cost of such administration is to be paid for by the applicants with a filing fee of \$5 in the cities for a tract of one acre or less, and outside of cities 10 acres or less. In districts for agricultural purposes the contract shall provide cultivation and planning of at least one-third of the tract from and after the first of the year of possession.

To Committee on State School and Tide Lands January 13.

Wyoming. H. B. 15. Mr. Moore.

To exempt resident homestead real property from taxation to the amount of \$2,000 assessed valuation.

To Committee No. 2 January 14.

Wyoming. Senate Bill 2. Mr. Rumsey.

Providing that property shall be exempt from taxation to the amount of \$1500 assessed valuation.

To Committee No. 3 January 14.

H. A. HOCKLEY

